

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**RAISING CANE’S RESTAURANTS, L.L.C., §**

**Plaintiff, §**

**vs. §**

**CROSSINGS AT HOBART-I, LLC, and §  
SCHOTTENSTEIN PROPERTY GROUP, §  
INC. §**

**Defendants. §**

**Civil Action No. 4:22-cv-414**

**JOINT MOTION TO REMAND**

Plaintiff Raising Cane’s Restaurants, L.L.C. (“Plaintiff”) and Defendants Crossings At Hobart-I, LLC and Schottenstein Property Group, Inc. (“Defendants”) file this Joint Motion to Remand (“Motion”) and state:

1. Plaintiff initiated this proceeding by filing suit against Defendants in state court on April 19, 2022, in an action styled *Raising Cane’s Restaurants, L.L.C. v. Crossings at Hobart-I, LLC and Schottenstein Property Group, Inc.*, Cause No. 471-01902-2022, in the 471st District Court, Collin County, Texas (the “State Court Action”) [doc. 1-1 at PageID 13.]

2. On May 13, 2022, Defendants filed their Notice of Removal [doc. 1]. They did so for the reasons set forth in their Notice of Removal.

3. Following removal, Plaintiff provided information, including certain non-public information, to Defendants reflecting that complete diversity does not exist over this case.

4. As a result, the Parties agree that remand of this case is appropriate, and they respectfully request that the Court grant this Motion and enter an order remanding this action to

the state district court from whence it was removed. A proposed order has been submitted contemporaneously herewith.

Respectfully submitted,

/s/ Rafe A. Schaefer

Rafe A. Schaefer  
Texas State Bar No. 24077700  
Rafe.schaefer@nortonrosefulbright.com  
Kate Ergenbright  
Texas State Bar No. 24097660  
Kate.ergenbright@nortonrosefulbright.com  
Timothy Shinn  
Texas State Bar No. 24125409  
Timothy.shinn@nortonrosefulbright.com  
Norton Rose Fulbright US LLP  
Fulbright Tower  
1301 McKinney, Suite 5100  
Houston, TX 77010-3095  
(713) 651-5151 (phone)  
(713) 651-5246 (fax)

**ATTORNEYS FOR PLAINTIFF  
RAISING CANE'S RESTAURANTS,  
L.L.C.**

/s/ John M. Barcus

Gary D. Eisenstat  
Texas State Bar No. 06503200  
gary.eisenstat@ogletree.com  
John M. Barcus  
Texas State Bar No. 24036185  
john.barcus@ogletree.com  
Ogletree, Deakins, Nash, Smoak & Stewart,  
P.C.  
8117 Preston Road, Suite 500  
Dallas, TX 75225  
(214) 987-3800 (phone)  
(214) 987-3927 (fax)

And

Christopher J. Hogan  
*Pro Hac Vice forthcoming*  
hogan@litoio.com  
Zeiger, Tigges & Little LLP  
41 S. High Street, Suite 3500  
Columbus, OH 43215  
(614) 324-5078 (phone)  
(614) 365-7900 (fax)

**ATTORNEYS FOR DEFENDANTS  
CROSSINGS AT HOBART-I, LLC AND  
SCHOTTENSTEIN PROPERTY GROUP,  
INC.**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was filed with the Court's electronic filing system this 20th day of May, 2022, which will provide notice of the same to all counsel of record.

/s/ John M. Barcus

John M. Barcus